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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,746	08/31/2001	Jean-Pierre Bertin	PF000086	8561

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EXAMINER	
AUVE, GLENN ALLEN	
ART UNIT	**PAPER NUMBER**
2111	

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/943,746	BERTIN ET AL.	
	Examin r	Art Unit	
	Glenn A. Auve	2111	

-- The MAILING DATE f this communication appears n the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-9 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-9 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 31 August 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 6.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because figures 1A and 1B appear to be improperly labeled on sheet one of the drawings. It appears that the drawing numbers are reversed and what is identified as figure 1B should really be 1A and vice versa. Also, the drawings would be much more useful if they contained word labels to identify the various parts rather than just numbers. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected based on lack of positive antecedent basis of "the mode of operation of the connectors" on lines 14-15.

Claims 2-9 are rejected because they depend on claim 1.

Claim 4 is rejected based on lack of positive antecedent basis of "the input/outputs of the controller" on line 3; "the controller" on lines 3 and 5; and "the link" on line 4.

Claims 6 and 7 are rejected because they depend on claim 4.

Claim 5 is rejected based on lack of positive antecedent basis of "the input/outputs of the controller" on line 3; "the controller" on lines 3 and 7; and "itself" on line 4.

Claim 6 is also rejected based on lack of positive antecedent basis of "the controller" on line 4 and "the main microprocessor" on lines 4-5.

Claim 9 is also rejected based on lack of positive antecedent basis of "the decoder" on the last line.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hannah, U.S. Pat. No. 5,784,581 (submitted by applicant).

As per claim 1, Hannah shows an apparatus for receiving audio-visual programs comprising a circuit for communication with means of connection to a bi-directional communication network, wherein the apparatus comprises: a first connector of a bus for communication with a master apparatus (fig.5,48), the first connector comprising at least one conductor for the transmission of a supply voltage originating from the master apparatus (inherent in the USB bus), at least one second connector of a communication bus (56), each second connector allowing the connection of at least one peripheral (54), a splitter connected on the one hand to the first and second connectors and on the other hand to a controller managing the mode of operation of the connectors in relation to the apparatus (12), means of detection of the presence of the supply voltage in the first connector, the means of detection being linked to the first connector and generating a switching control signal on the appearance of the supply voltage to a switching circuit, so as to switch the apparatus from a first mode of operation to a

second mode of operation (at least in col.6, lines 18-51, wherein there is means for detecting connection of the USB host controller to the system, and the presence or absence of the USB host controller connection is used to determine which mode is used for operation). Hannah shows all of the elements recited in claim 1.

As for claim 2, the argument for claim 1 applies. Hannah also shows that the first mode of operation is a so-called master mode of operation, in which the apparatus behaves as a master in relation to each peripheral, and in that the second mode of operation is a so-called peripheral mode of operation in which the apparatus behaves as a peripheral in relation to the master apparatus (col.6 as noted above). Hannah shows all of the elements recited in claim 2.

As for claim 3, the argument for claim 1 applies. Hannah also shows that the first connector is a B type USB connector and in that each second connector is an A type USB connector (inherent in USB, as evidence see the USB specification 1.1 as submitted by applicant section 6.5). Hannah shows all of the elements recited in claim 3.

As for claim 4, the argument for claim 1 applies. Hannah also shows that the switching circuit comprises a quad switch, linked to the inputs/outputs of the controller and to the second connector, so as to allow the link between the second connector and the controller for a first given switching state (at least in col.6 as noted above). Hannah shows all of the elements recited in claim 4.

As for claim 6, the argument for claim 4 applies. Hannah also shows that a link transmits the supply voltage detection signal so as to control the switching from one state to the other, to an input of the controller and to an input of a main microprocessor (col.6). Hannah shows all of the elements recited in claim 6.

As for claim 7, the argument for claim 4 applies. Hannah also shows that when the quad switch is switched into a first state, the apparatus operates in peripheral mode and when the

quad switch is switched into a second state, the apparatus operates in master mode (col.6). Hannah shows all of the elements recited in claim 7.

As for claim 5, the argument for claim 1 applies. Hannah also shows that the switching circuit comprises a quad switch, linked to the inputs/outputs of the controller and to the inputs/outputs of a two-pathway splitter, itself linked to the first connector so as to allow in a second switching state the link between on the one hand the first connector and the controller and on the other hand the link from the first connector to the second connector (col.6). Hannah shows all of the elements recited in claim 5.

As for claim 8, the argument for claim 1 applies. Hannah also shows that the master apparatus is a personal computer (10 and col. 3, line 15) and the apparatus comprises a digital decoder connected to the communication network so as to allow the computer to talk to the said network (device controller 60 and at least in col.6). Hannah shows all of the elements recited in claim 8.

As for claim 9, the argument for claim 1 applies. Hannah also shows that the peripheral or peripherals are linked to the second connector of the apparatus by way of an additional splitter external to the decoder (fig.5). Hannah shows all of the elements recited in claim 9.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references also show other USB network systems.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn A. Auve whose telephone number is (703) 305-9638. The examiner can normally be reached on M-Th 8:00 AM-5:30 PM, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenn A. Auve
Primary Examiner
Art Unit 2111

gaa
March 2, 2004